

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRITT AUGUSTS ANDERSON,

Defendant.

Case No. CR05-231-JCC

**PROPOSED FINDINGS OF FACT  
AND DETERMINATION AS TO  
ALLEGED VIOLATIONS OF  
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on January 5, 2010. The defendant appeared pursuant to a summons issued in this case. The United States was represented by Ye-Ting Woo, and defendant was represented by Howard Ratner. Also present was U.S. Probation Officer Andrew Lorenzen. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on October 6, 2006 by the Honorable John C. Coughenour for Conspiracy to commit RICO. He received 30 months of detention and 2 years of supervised release.

On April 21, 2009, Anderson's conditions of supervision were modified by the Court to include 120 days of home confinement with electronic monitoring, following Anderson's

1 admission to the following violations of supervised release: committing the crime of negligent  
2 driving on March 25, 2009; failing to report law enforcement contact on March 5, 2009 within  
3 72 hours; associating with a convicted felon, Scott Baker, on March 12, 2009; and associating  
4 with a person engaged in criminal activity on March 12, 2009. Anderson successfully completed  
5 his term of home confinement with electronic monitoring on September 9, 2009.

6 PRESENTLY ALLEGED VIOLATIONS

7 In a petition dated December 7, 2009, U.S. Probation Officer Angela M. Peru alleged that  
8 defendant violated the following conditions of supervised release:

- 9 1. Using methamphetamine on or about October 5, 2009, in violation of a standard  
10 condition of supervision.
- 11 2. Using methamphetamine on or about November 29, 2009, in violation of a standard  
12 condition of supervision.

13 FINDINGS FOLLOWING EVIDENTIARY HEARING

14 Defendant admitted the above violations, waived any hearing as to whether they occurred,  
15 and was informed the matter would be set for a disposition hearing January 14, 2010 at 9:00 am  
16 before District Judge John C. Coughenour.

17 RECOMMENDED FINDINGS AND CONCLUSIONS

18 Based upon the foregoing, I recommend the court find that defendant has violated the  
19 conditions of his supervised release as alleged above, and conduct a disposition hearing.

20 DATED this 5<sup>th</sup> day of January, 2010.

21 

22 BRIAN A. TSUCHIDA  
23 United States Magistrate Judge